

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
SKYPORT GLOBAL	§	CASE NO. 08-36737-H4-11
COMMUNICATIONS, INC.,	§	
Debtor	§	
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JOANNE SCHERMERHORN, ET AL.,	§	
Plaintiffs	§	
	§	
v.	§	ADVERSARY NO. 10-03150
	§	
CENTURYTEL, INC. (A/K/A	§	
CENTURLINK), ET AL.,	§	
Defendants	§	
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SKYPORT GLOBAL	§	
COMMUNICATIONS, INC., ET AL.,	§	
Plaintiffs	§	
	§	
v.	§	ADVERSARY NO. 10-03225
	§	
JOANNE SCHERMERHORN, ET AL.,	§	(CONSOLIDATED UNDER
Defendants	§	ADVERSARY NO. 10-03150)

MOTION FOR EXPEDITED CONSIDERATION ON EMERGENCY
MOTION OF JOANNE SCHERMERHORN, ET AL. FOR CONTINUANCE

NOTICE PURSUANT TO LOCAL RULE 9013

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED.

IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING. REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE JEFF BOHM, UNITED STATES BANKRUPTCY JUDGE:

Come now the captioned Movants by and through their undersigned attorneys, ,respectfully showing as follows:

1. Movants filed this date Emergency Motion of Joanne Schermerhorn, et al. for Continuance (the “Emergency Motion”). The nature of the emergency arises from a response submission date of July 19, and July 20, 2010 on sanctions requested requiring discovery and a hearing date on the same and related matters requiring discovery, utilization of an expert and other witnesses, all as more completely set forth in the Emergency Motion. Unless a continuance is granted Movants are effectively precluded from effective preparation for the matters in this case.

2. As supported by the Affidavit of W. Steve Smith, counsel for Movants, attached hereto as Exhibit “A” and incorporated for all purposes, Movants’ counsel believes that a true emergency exists. As such, this Motion for Expedited Consideration is being filed not for the purposes of delay, but so that justice may be served.

WHEREFORE, PREMISES CONSIDERED, Movants request emergency consideration of the Emergency Motion and for such other and further relief as is just.

Dated: July 16, 2010.

Respectfully submitted,

McFALL, BREITBEIL & SHULTS, P.C.

By: /s/ W. Steve Smith

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document is being served on the 16th day of July, 2010, on all of the following parties via regular first class mail, postage prepaid. Those ECF users registered in this case will receive electronic notice on July 16, 2010.

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